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6 Attorneys for Defendant,
OCMBC, INC., dba LOANSTREAM
7 MORTGAGE

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION**

10
11 KIMBERLY HUDSON-BRYANT,
individually and on behalf of all others
12 similarly situated,

13 Plaintiffs,

14 v.

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16 OCMBC, INC., dba LOANSTREAM,

17 Defendant.
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Case No. 8:24-cv-00067-FWS-JDE

**DEFENDANT'S REQUESTS FOR
TELEPHONIC APPEARANCE ON
APRIL 25, 2024 AND
DECLARATION IN SUPPORT
THEREOF**

Judge: Fred W. Slaughter

Magistrate Judge: John D. Early

Date of Conference:
April 25, 2024 at 9:00 a.m.

1 Defendant, OCMBC, Inc. dba LoanStream Mortgage (“Defendant”) hereby
2 requests to be permitted to appear telephonically at the April 25, 2024 Scheduling
3 Conference in this matter. Counsel for OCMBC makes this request based on the
4 following:

5 1. Defendant’s counsel is located in San Diego, California. It will cost
6 considerable time and expense for Defendant’s counsel to attend the Court’s
7 Scheduling Conference in-person. As stated in more detail in the Parties’ Joint
8 Discovery Plan, Defendant contends that it did not make the phone call(s) at issue in
9 this case. The Parties are working together to conduct minimal discovery to verify
10 this threshold issue and are cooperating to keep costs to a minimum during the
11 process. Accordingly, Defendant requests permission to appear telephonically.

12 2. Defendant’s lead trial counsel, Thomas F. Landers, is unavailable to
13 attend the Scheduling Conference next week due to an arbitration being conducted at
14 JAMS San Diego. Defendant will have Alec M. Rishwain of Solomon Ward
15 Seidenwurm & Smith, LLP, attend on its behalf.

16 DATED: April 17, 2024

SOLOMON WARD SEIDENWURM &
SMITH, LLP

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19 By: /s/ Thomas F. Landers

THOMAS F. LANDERS

ALEC W. RISHWAIN

Attorneys for Defendant,

OCMBC, INC., dba LOANSTREAM
MORTGAGE

DECLARATION OF THOMAS F. LANDERS

I, Thomas F. Landers, declare:

1. I am an attorney at law licensed to practice before this Court and am a partner with Solomon Ward Seidenwurm & Smith, LLP, counsel for Defendant, OCMBC, Inc. dba LoanStream Mortgage (“Defendant”) in this action. I will be Defendant’s lead trial attorney in this matter. I submit this declaration in support of OCMBC’s Request for Telephonic Appearance at the April 25, 2024 Scheduling Conference.

2. My offices are exclusively located in San Diego, California. It will cost considerable time and expense for an attorney from my office to attend the Court’s Scheduling Conference in-person on behalf. The desire to be cost-efficient is particularly high here, considering Defendant believes it was wrongly sued, per the positions set forth in Defendant’s answer and the Parties’ Joint Discovery Plan.

3. My offices are thus making best and reasonable efforts to minimize fees and costs until this matter is resolved.

4. I am unavailable to attend the Scheduling Conference next week due to an arbitration scheduled prior to the scheduling of the Scheduling Conference. Alec M. Rishwain of my offices will attend on Defendant’s behalf.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on April 17, 2024, at San Diego, California.



Thomas F. Landers